

Message Text

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PAGE 01 STATE 049202
ORIGIN STR-07

INFO OCT-01 IO-14 ISO-00 COME-00 EB-08 L-03 INT-05
STRE-00 AGRE-00 CEA-01 CIAE-00 DODE-00 FRB-01
H-02 INR-10 LAB-04 NSAE-00 NSC-05 PA-02 CTME-00
AID-05 SS-15 ITC-01 TRSE-00 USIA-15 SP-02 SOE-02
OMB-01 DOE-11 AF-10 ARA-14 EA-12 EUR-12 NEA-10
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TO USMISSION GENEVA PRIORITY

UNCLAS STATE 049202

E.O. 11652: N/A

TAGS: ETRD, GATT, SW

SUBJECT: GATT FOURTH CERTIFICATION OF CHANGES IN SCHEDULES-
SWEDEN

REF: STATE 22514

1. WE HAVE COMPLETED EXAMINATION OF RECTIFICATIONS TO GATT
SCHEDULE XXX (SWEDEN) CONTAINED IN DOCUMENT L4580. PLEASE
TRANSMIT FOLLOWING REQUESTS AND QUESTIONS TO SWEDISH MIS-
SION WITH COPY TO GATT SECRETARIAT:

A. WE ASSUME SWEDEN IS ADOPTING ALL CCC RECOMMENDATIONS
OF JUNE 18, 1976, AS SHOWN IN CCC DOCUMENTS 22.000 F/E N2-105
AND N3-1. HOWEVER, AS IT APPEARS SOME CHANGES (E.G. 29.40,
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 STATE 049202

35.07, 85.21) WERE RECOMMENDED ELSEWHERE WE WOULD APPRECIATE
DOCUMENT REFERENCES RE THESE AND ANY OTHER SUCH CHANGES.

B. WHERE PRODUCTS WERE TRANSFERRED FROM ONE ITEM TO
ANOTHER, WE EXPECT ALL U.S. RIGHTS OF INITIAL NEGOTIATION
TO BE TRANSFERRED TO NEW ITEMS IN REVISED SCHEDULE XXX, EVEN
THOUGH THESE ITEMS ARE NOT SHOWN IN L/4580. WE THEREFORE

REQUEST BILATERAL WRITTEN ASSURANCES TO THIS EFFECT FOR 28.30, TO WHICH PARTS OF OLD ITEMS 28.33 AND 28.34 HAVE BEEN MOVED.

C. WE QUESTION NEED FOR NEW RESTRICTIVE EX-ITEM IN 35.07, TO WHICH CONCESSION GRANTED U.S. UNDER OLD 29.40 WAS TRANSFERRED. EC, IN MAKING SIMILAR TRANSFER, HAS NOT FOUND IT NECESSARY TO CREATE AN EX-ITEM NARROWER THAN WHOLE COVERAGE OF NEW 35.07. IF 35.07 COVERAGE IS CONSIDERED BROADER THAN OLD 29.40, WHERE WERE ADDITIONAL PORTIONS FORMERLY CLASSIFIED?

D. WE OBJECT TO LACK OF PROVISION FOR MAINTAINING CONCESSIONS OF CHAPTERS 50-60 IMPAIRED BY CHANGED RULE FOR DETERMINATION OF CLASSIFICATION. HERETOFORE NOTE 2 TO CCC SECTION XI MADE GOODS OF CHAPTERS 51-57 CONTAINING MORE THAN 10 PERCENT BY WEIGHT OF SILK DUTIABLE UNDER CHAPTER 50 AS IF CONSISTING WHOLLY OF MATERIALS OF CHAPTER 50 (SILKS). SWEDISH TARIFF NOTE TO SECTION XI, C.:1. (A), MADE SAME RULE APPLICABLE MUTATIS MUTANDIS IN CHAPTERS 58-60 WHEREVER CLASSIFICATION DEPENDED ON MATERIAL CONTENT. NEW RULE MAKES DETERMINATION DEPEND ON PREDOMINANT MATERIAL BY WEIGHT. SINCE SILK RATES ARE LOWER THAN OTHERS IN MANY CASES, MANY CONCESSIONS ARE IMPAIRED. COMMERCE DEPARTMENT HAS ALREADY RECEIVED COMPLAINTS FROM U.S. EXPORTERS. GIVEN DIFFICULTY OF PREDICTING WHAT UNCLASSIFIED

UNCLASSIFIED

PAGE 03 STATE 049202

MIXTURES OF SILK AND OTHER FIBRES MAY ENTER TRADE, WE REQUEST A HEADNOTE TO SWEDEN'S GATT SCHEDULE REESTABLISHING FOR ALL CONCESSION ITEMS OF SECTION XI PREVIOUS METHOD OF ESTABLISHING CLASSIFICATION. ACCEPTABLE ALTERNATIVE WOULD BE CREATION OF EX-ITEMS THROUGHOUT SECTION. (EC HAS USED LATTER TECHNIQUE TO DEAL WITH THIS PROBLEM.)

E. RE COPPER-NICKEL ALLOYS CONTAINING OVER 10 PERCENT (BY WEIGHT) NICKEL, SIMILAR PROBLEM IS CREATED BY NEW RULE IN NOTE 3 TO SECTION XV (CCC) CALLING FOR CLASSIFICATION OF ALL ALLOYS OTHER THAN FERRO-ALLOYS AS ALLOYS OF THE METAL WHICH PREDOMINATES BY WEIGHT. PROPOSED EX-ITEMS IN L/4580 FOR 74.03 - .05 OFFER PARTIAL REMEDY, BUT INCREASES MAY ALSO RESULT FOR ALLOYS CONTAINING OVER 10 PERCENT NICKEL IN FORM OF STRANDED WIRE (NOW DUTIABLE AT HIGHER RATE FOR 74.10 UNLESS AN EX-ITEM IS CREATED), BRONZING POWDERS AND FLAKES (74.06), TUBES (74.07), FITTINGS (74.08) AND PINS (PART OF 74.19). WE REQUEST EX-ITEMS FOR FOREGOING ALONG LINES OF THOSE SHOWN IN L/4580 FOR 74.03 - .05.

F. IF, AS PRACTICAL MATTER, ALLOYS COMBINING 10 PERCENT

OR MORE NICKEL WITH ANY OTHER METALS THAN COPPER MAY ALSO
BE AFFECTED BY NEW RULE, WE REQUEST DETAILS.

G. WE HAVE NOTED CERTAIN CASES IN WHICH INCREASED
DUTIES APPEAR TO RESULT FROM OTHER CLASSIFICATION CHANGES

BUT BELIEVE ONLY ONE IS OF POSSIBLE U.S. TRADE INTEREST:
ARTICLES OF FIBREBOARD FORMERLY 4 PERCENT UNDER 48.21 ARE
NOW 5 PERCENT UNDER 44.17 AND 44.28. WE REQUEST 1975-77
SWEDISH IMPORT STATISTICS FOR THIS SUB-ITEM AND CREATION
OF EX-OUTS IF U.S. HAS SIGNIFICANT TRADE INTEREST.

2. PLEASE ALSO INFORM SWEDISH MISSION AND GATT SECRE-
TARIAT THAT U.S. HAS NO OBJECTION TO ADDITIONAL MODIFICA-
UNCLASSIFIED

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PAGE 04 STATE 049202

TION TO SCHEDULE XXX CIRCULATED IN DOCUMENT L/4620. VANCE

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